

# **EXHIBIT “A”**





# Southern Christian University

# **EXHIBIT “B”**

STEPTOE & JOHNSON LLP  
ATTORNEYS AT LAW

**FILE**  
*JK/SAC/CB/94*

William G. Pecau  
202.429.6244  
wpecau@steptoe.com

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Tel 202.429.3000  
Fax 202.429.3902  
steptoe.com

August 18, 2006

**Via FEDERAL EXPRESS**

Mr. Rex A. Turner, Jr.  
President  
Southern Christian University  
1200 Taylor Road  
Montgomery, Alabama 36117

**Re: Regions Asset Company v. Southern Christian University  
Trademark Infringement**

Dear Mr. Turner:

We represent Regions Asset Company and its affiliates, including Regions Financial Corporation and Regions Bank (together "Regions") in trademark infringement and unfair competition litigation.

I am writing to you concerning SCU's infringement of the REGIONS name and mark and to give SCU the opportunity to avoid a federal lawsuit.

Regions is one of the largest financial institutions in the United States. The REGIONS name and mark is Regions' chief corporate symbol and principal trademark. Regions conducts its many business, services and activities under its famous REGIONS name and mark. Indeed, as you know, the REGIONS BANK is the largest bank in Montgomery and Regions is a prominent and very visible member of the community from the REGIONS BANK BUILDING and the many REGIONS branches to its extensive support and participation in Montgomery community affairs. Regions' many institutions and services include its own REGIONS UNIVERSITY. Some information concerning REGIONS UNIVERSITY is shown in Exhibit A. Additional information regarding Regions and its various REGIONS businesses, services, events and activities may be

STEPTOE &amp; JOHNSON LLP

Mr. Rex A. Turner, Jr.  
August 18, 2006  
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found at the REGIONS website at [www.regions.com](http://www.regions.com).

Regions owns over twenty-five registrations for the REGIONS mark, alone and with other elements, in the United States Patent and Trademark Office. These federal REGIONS registrations include U.S. Reg. No. 1,881,600; U.S. Reg. No. 1,914,267; U.S. Reg. No. 2,399,848; U.S. Reg. No. 3,119,462; U.S. Reg. No. 2,737,615; U.S. Reg. No. 2,584,509; U.S. Reg. No. 2,333,115; U.S. Reg. No. 2,326,892; U.S. Reg. No. 2,007,680; and U.S. Reg. No. 2,005,285. Regions' exclusive right to use the REGIONS mark is incontestable under the United States Trademark Act of 1946, 15 U.S.C. §1065.

Accordingly, Regions was disturbed to learn that SCU, an institution with its headquarters in Montgomery, has announced plans to adopt Regions' mark REGIONS as the salient and distinctive element of SCU's new name "REGIONS UNIVERSITY." In light of the prominence and fame of REGIONS in Montgomery and elsewhere, SCU necessarily adopted the REGIONS UNIVERSITY name mindful of the REGIONS name and mark and the enormous goodwill that it represents. SCU's use of REGIONS UNIVERSITY will constitute a willful misappropriation of that goodwill and an infringement of the famous REGIONS mark. Persons encountering REGIONS UNIVERSITY will inevitably believe that Regions is a benefactor or sponsor of REGIONS UNIVERSITY or that SCU's REGIONS UNIVERSITY is a part of or connected with Regions' REGIONS UNIVERSITY. As a consequence, REGIONS and REGIONS UNIVERSITY would be tied together by reason of their names, their geographical roots and their services, and the goodwill of REGIONS would be forever hostage to the acts of REGIONS UNIVERSITY. Moreover, the REGIONS UNIVERSITY name and mark will dilute the distinctiveness of the REGIONS name and mark and its exclusive association with Regions in Montgomery, Alabama and elsewhere in the United States.

SCU's use of REGIONS UNIVERSITY infringes Regions' REGIONS name and mark and constitutes unfair competition, false advertising and dilution in violation of the United States Trademark Act of 1946, 15 U.S.C. §1051 *et seq.* and related laws of Alabama and other jurisdictions, including Alabama's Anti-Dilution statute, Ala. Code § 8-12-17 (2005).

Regions has an obligation to protect its name and goodwill. It will not and cannot tolerate the use of its core name and trademark by SCU as the principal element of its name REGIONS UNIVERSITY. Regions therefore must demand that SCU discontinue its adoption of the name REGIONS UNIVERSITY and choose some name other than REGIONS for its university.

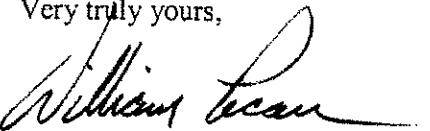
Regions requests SCU's written undertaking by September 5, 2006 that SCU will end all use of, and will not use in the future, REGIONS as part of its name. If SCU does not accede to this request, Regions will sue SCU and seek all the remedies to which it is entitled in order to protect its valuable REGIONS name and trademark.

STEPTOE & JOHNSON LLP

Mr. Rex A. Turner, Jr.  
August 18, 2006  
Page 3

If you have any questions, please have your legal counsel call me.

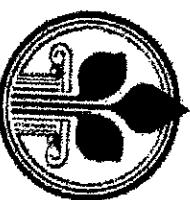
Very truly yours,

  
William G. Pecau

Enclosure

c: Mr. G. Carlton Barker  
President  
Regions Bank, Montgomery, AL

Hope D. Mehlman, Esq.  
Regions Asset Company



## REGIONS UNIVERSITY

Welcome to Regions University!

Regions established the Regions University system to provide progressive, performance development programs to Regions associates. Regions University mirrors our organizational programs to provide strategic value of the corporation and each business unit. There are six colleges in the Regions University: Commercial, Corporate Support, Financial Services, Mortgage, Operations, Trust and Retail. There is also specialized training offered through the Leadership and Sales Institute that is a valuable part of the Regions University.

This site has been established to provide Regions associates with information and resources needed to develop a successful career at Regions. Each college is represented here with information and resources specific to their associates. Take some time to acquaint yourself with this side of the RU Learning system and check back often for updates.

Retail College
Commercial College
Operations & Technology College
Mortgage College
Corporate Support College
Trust College
Leadership and Sales
HR Initiatives
RU Learning Resource Center

Retail College

Page 1 of 1

Teller	FSR	BAM/BSM/ASM	Retail Lender	Private Banker
<a href="#">Regions Quick Links</a>	<a href="#">FSR</a>	<a href="#">BAM/BSM/ASM</a>	<a href="#">Retail Lender</a>	<a href="#">Private Banker</a>
<a href="#">Credit Learning Site</a>	<a href="#">FSR</a>	<a href="#">BAM/BSM/ASM</a>	<a href="#">Retail Lender</a>	<a href="#">What's New</a>
<a href="#">Training Manuals</a>	<a href="#">BAM/BSM/ASM</a>	<a href="#">Retail Lender</a>	<a href="#">Private Banker</a>	<a href="#">What's New</a>
<a href="#">Support Tools</a>	<a href="#">Retail Lender</a>	<a href="#">Private Banker</a>	<a href="#">What's New</a>	<a href="#">What's New</a>
<a href="#">Day In the Life - Prototypes</a>	<a href="#">Private Banker</a>	<a href="#">What's New</a>	<a href="#">What's New</a>	<a href="#">What's New</a>
<b>Common Quick Links</b>	<b>Welcome to Regions Retail College!</b>	<b>What's New</b>	<b>New Hire Training</b>	<b>New Hire Training</b>
<a href="#">Regions Infonet</a>	The Regions Retail College is dedicated to insuring the retail bankers receive the right learning and development experiences at the right time. This is accomplished by:	There are some n and exciting happenings in Re	Starting with the li	Starting with the li
<a href="#">WebEx Training Site</a>	<ul style="list-style-type: none"> <li>Enhancing and maintaining job competency based curricula for the key retail banking positions (tellers, teller supervisors, FSRs, retail lenders, BAMs, BSMs and ASMs) with the emphasis on training and developing new hires and newly promoted associates.</li> </ul>		New Hire Teller, A new hire teller tra enhanced with a f	New Hire Teller, A new hire teller tra enhanced with a f
<a href="#">Resource Center</a>	<ul style="list-style-type: none"> <li>Consulting with the Retail Banking Team to align training and development activities to the retail strategy. In 2006, supporting RegionsNEXT strategies will be a high priority.</li> </ul>		Learning Consult proactively suppo by remotely coach	Learning Consult proactively suppo by remotely coach
<a href="#">Regions 1Source Learning Site</a>	<ul style="list-style-type: none"> <li>Consulting with Group Retail Executives to understand training and development needs, unique to their respective markets and designing solutions that align with the delivery model to meet those needs.</li> </ul>		6 week training pe delivery model is l electronic course learning experien	6 week training pe delivery model is l electronic course learning experien
<a href="#">Online Career Center</a>	<a href="#">Retail College Learning Officer, Katie West (901) 580-2296</a>		Branch Field Coa coach).	Branch Field Coa coach).
<a href="#">Leadership and Sales</a>	<a href="#">Retail College Organization Chart</a>			
	<a href="#">Use the links to the left to navigate to Regions Retail Training.</a>			
			<a href="#">The implementation event. Click <a href="#">here</a>.</a>	<a href="#">The implementation event. Click <a href="#">here</a>.</a>
			<a href="#">Small Business I</a>	<a href="#">Small Business I</a>
			training is currentl delivered to BSMs end of the second (BSM/ASM) will h curriculum. Both c blended methodolo instructor-led clas supported training expectation is 45- over 8-10 weeks. have an additiona training.	training is currentl delivered to BSMs end of the second (BSM/ASM) will h curriculum. Both c blended methodolo instructor-led clas supported training expectation is 45- over 8-10 weeks. have an additiona training.
			<a href="#">The implementation begin with the Mi and extend into th footprint, starting i 15th.</a>	<a href="#">The implementation begin with the Mi and extend into th footprint, starting i 15th.</a>
<p><input type="checkbox"/> Everyday Regions <input type="checkbox"/> Regions.com <input type="checkbox"/> Regions Vision, Values and Focus <input type="checkbox"/>  Copyright © 2002 Regions Financial Corporation. All Rights Reserved.  Regions refers to Regions Financial Corporation, Regions Bank, Morgan Keegan and any of their affiliates.</p>				

STEPTOE & JOHNSON

Mr. Rex A. Turner, Jr.  
August 18, 2006  
Page 4

bc: Ms. Pam Jasinski  
Harold Fox, Esq.  
Rachel M. Marmer, Esq.

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Page 1 of 1

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 William G. Pecau, Esq.  
 Steptoe & Johnson LLP  
 1330 Connecticut Avenue, N.W.

Washington, DC 200361795



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 System#: 2886401/INET2500  
 Account#: S \*\*\*\*

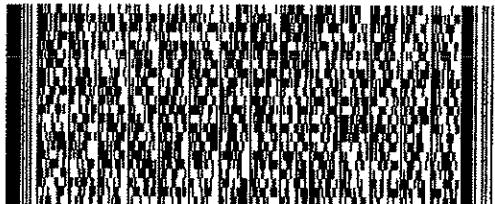
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SHIP TO: (334)387-3877 BILL SENDER  
**Mr. Rex A. Turner, Jr.**  
**Southern Christian University**  
**1200 Taylor Road**

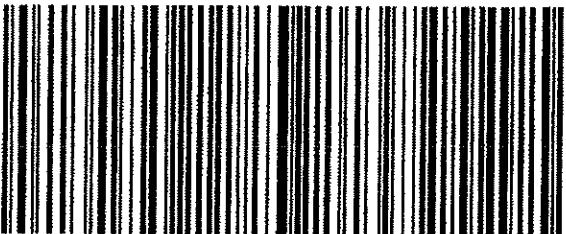
Montgomery, AL 36117

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# **EXHIBIT “C”**

Aug-31-06 16:42 Shlesinger Arkwright &amp; Ga

P.02

**SHLESINGER, ARKWRIGHT & GARVEY LLP**

JAMES E. SHLESINGER  
 JOSEFINO P. DE LEON  
 MICHAEL M. ZADROZNY\*  
 TERENCE L.B. BROWN\*  
 DANIEL T. EARLF

OF COUNSEL  
 B. EDWARD SHLESINGER, JR.

\*Admitted to a bar other than Virginia

PATENT, TRADEMARK &amp; COPYRIGHT LAW

ESTABLISHED 1950

1420 KING STREET  
 SUITE 600  
 ALEXANDRIA, VIRGINIA 22314

GEORGE A. ARKWRIGHT (RET.)  
 GEORGE A. GARVEY (RET.)

TELEPHONE: (703) 684-5600  
 FAX: (703) 836-5288  
 FAX: (703) 836-5698  
 EMAIL: PATENTS@SAGLLP.COM

OUR REF. NO.

August 31, 2006

**VIA FACSIMILE -  
 (202) 429-3902  
 & FIRST CLASS MAIL**

Steptoe & Johnson LLP  
 1330 Connecticut Avenue, NW  
 Washington, D.C. 20036-1795

Attention: William G. Pecau, Esquire

Re: Service Mark - REGIONS UNIVERSITY

Dear Mr. Pecau:

We represent Regions University (formerly Southern Christian University), a not for profit Alabama corporation, in connection with trademark registration concerns. We are in receipt of your letter, dated August 18, 2006.

Our client reached a decision to change its name from Southern Christian University to Regions University. Searches were performed to clear the name for registration. An application has been filed with the United States Patent and Trademark Office to register the mark, REGIONS UNIVERSITY, for educational services, namely, providing courses and programs of instruction at the higher education level; vocational education training; and development, publication, and distribution of religious, biblical, and ministerial, education, business, and medical publications, videos, and other formats of research, and educational materials, application Serial No. 78/941,966, filed on August 4, 2006, based on use of the mark. A co-pending application is on file with the U.S. Patent and Trademark Office for the mark, REGIONS UNIVERSITY PRESS, for related services, application Serial No. 78/942,915.

Aug-31-06 16:42 Shlesinger Arkwright &amp; Ga

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Steptoe & Johnson LLP  
August 31, 2006  
Page -2-

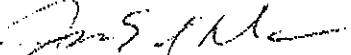
Prior to filing the applications noted above, our client conducted trademark research directed to the registrability of its mark. Please understand, that our client takes these matters seriously, and certainly considered your client's REGIONS mark for banking services before embarking upon its plan to change its name from Southern Christian University to Regions University.

However, your letter references the use of the name, Regions University, by your client. The attachments to your letter appear to represent use wholly internal to your client's banking institution, as opposed to service mark usage in the field of education. We cannot find any other use of this name. In order to evaluate your claim that our client's mark constitutes trademark infringement, please advise if Regions University is being used by your client in ways other than internal to your client's business.

Please understand that our client intends to respond to your letter, including the demands set forth therein, as soon as its investigation is complete.

If you have any questions, please contact me.

Very truly yours,

  
James W. Shlesinger

JES/ds

SHLESINGER, ARKWRIGHT & GARVEY LLP

cc: Dr. Rex A. Turner, Jr.,  
President, Regions University

# **EXHIBIT “D”**

STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

William G. Pecau  
202.429.6244  
wpecau@steptoe.com

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Tel 202.429.3000  
Fax 202.429.3902  
steptoe.com

September 14, 2006

**Via FEDERAL EXPRESS**

James E. Shlesinger, Esq.  
Shlesinger, Arkwright & Garvey LLP  
1420 King Street  
Suite 600  
Alexandria, VA 22314

**RE: Regions Asset Company v. Southern Christian University**

Dear Mr. Shlesinger:

We are in receipt of your letter of August 31, 2006, on behalf of Southern Christian University ("SCU") responding to Regions' objection to the infringement of its REGIONS name and mark.

You advise us that SCU decided to adopt REGIONS UNIVERSITY knowing full well the REGIONS name and mark. Indeed, REGIONS is so famous, in their common city of Montgomery and state of Alabama, that SCU's awareness of the REGIONS name and mark could not have been avoided or denied. It is evident that SCU adopted the name REGIONS UNIVERSITY with the intent of taking advantage of the enormous goodwill associated with the REGIONS name and mark. SCU's intent to misappropriate REGIONS' goodwill is revealed further by the remarkable similarity of the stylization SCU has begun to use for REGIONS UNIVERSITY to that used by Regions for REGIONS. See Exhibit A.

You inquired as to Regions' REGIONS UNIVERSITY name and mark. Regions engages in an extensive education and learning program under the REGIONS UNIVERSITY mark. Every one of Regions twenty-two thousand employees receives ongoing educational programs under the aegis of REGIONS UNIVERSITY. Last year alone, REGIONS UNIVERSITY provided over 800,000 hours of training. Regions spends over twenty million dollars annually on its REGIONS UNIVERSITY education programs. Regions' REGIONS UNIVERSITY program has received national recognition and is ranked by *Training Magazine* in the top 50 corporate training programs. By reason of its importance,

STEPHENS & JOHNSON

James E. Shlesinger, Esq.  
September 14, 2006  
Page 2

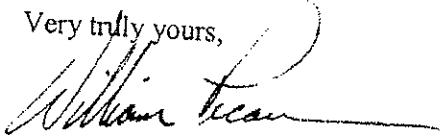
quality and scope, Regions makes its REGIONS UNIVERSITY education and learning program a key element of its recruiting that is promoted to the public. An example of a public reference to REGIONS UNIVERSITY found on Regions' website appears in Exhibit B.

Despite Regions' objections contained in my letter of August 18, 2006, SCU has begun to use the name REGIONS UNIVERSITY publicly on its website. SCU's use of REGIONS UNIVERSITY inevitably will cause confusion as to its source, sponsorship and relationship with Regions and will dilute the distinctiveness of the REGIONS name and mark. As SCU has been advised, Regions will protect its famous REGIONS mark, particularly from the kind of intentional and egregious infringement that SCU has begun to practice. This is your client's last opportunity to avoid a lawsuit and its consequences.

We expect to hear from SCU by September 25, 2006, whether it will discontinue use of REGIONS as part of its name. Of course, SCU is perfectly free to test its apparent theory that it can take with impunity the established goodwill of another's well known name and mark and use it for its own purposes.

If we do not receive a satisfactory answer from SCU, Regions, for its part, is content to have this dispute judicially resolved; it will sue SCU; and it will seek all remedies to which it is entitled by reason of SCU's intentional infringement.

Very truly yours,



William G. Pecau

Enclosures

c: Hope D. Mehlman, Esq.  
Regions Financial Corporation

STEPTOE & JOHNSON LLP

James E. Shlesinger, Esq.  
September 14, 2006  
Page 3

bc: Pam Jasinski  
Regions Asset  
Harold Fox, Esq.

# EXHIBIT A

**REGIONS UNIVERSITY**  
**REGIONS UNIVERSITY**  
**REGIONS △**

# EXHIBIT B

**REGIONS** 

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Personal Banking Small Business Corporate Banking About Regions

Welcome Message  
Getting Started **Your First Day** New Associate Orientation Benefits Company Information

### Your First Day at Regions

When you arrive at your Regions location, be confident knowing that a talented team of associates is ready to welcome you. You were hired because your experience and skill set will contribute to your team's focus on achieving performance excellence for Regions. Below are several tools you will find helpful as you start your career here:

### New Associate Orientation

There's no doubt you will have questions on your first day! Your manager, coworkers and Human Resources Business Partner are all ready to answer your questions and help you get settled in your new career. During the New Associate Orientation session, you will also receive information that will provide answers to some of the most commonly asked questions.

### Checklist of Activities

One item you will find helpful is a checklist of activities to complete over your first 90 days of employment. By completing the checklist of activities, you will become familiar with our operating systems, learn about our associate guidelines and discover what it means to be a Regions associate.

### Everyday Regions

The Regions Intranet site, "Everyday Regions," is an important resource for you to use throughout your career at Regions. It provides current company news and access to a variety of our internal Human Resources and training systems. Two of these systems you will find particularly helpful is Regions1Source and RU Learning (Regions University Learning).

# **EXHIBIT “E”**

1 SEP 25 2006 MON 15:32 SHLESINGER

W.P. 82

## SHLESINGER, ARKWRIGHT &amp; GARVEY LLP

JAMES E. SHLESINGER  
 JOSEFINO P. DE LEON  
 MICHAEL M. ZADROZNY\*  
 TERRENCE L.B. BROWN\*  
 DANIEL T. EARLE

OF COUNSEL  
 B. EDWARD SHLESINGER, JR.

\*ADMITTED TO A BAR OTHER THAN VIRGINIA

PATENT, TRADEMARK &amp; COPYRIGHT LAW

ESTABLISHED 1950

1420 KING STREET  
 SUITE 600  
 ALEXANDRIA, VIRGINIA 22314

GEORGE A. ARKWRIGHT (RET.)  
 GEORGE A. GARVEY (RET.)

TELEPHONE: (703) 684-5600  
 FAX: (703) 836-5288  
 FAX: (703) 836-5698  
 EMAIL: PATENTS@SAGLLP.COM

OUR REF. NO.

September 25, 2006

VIA FACSIMILE -  
(202) 429-3902  
& FIRST CLASS MAIL

Steptoe & Johnson LLP  
 1330 Connecticut Avenue, NW  
 Washington, D.C. 20036-1795

Attention: William G. Pecau, Esquire

Re: Service Mark - REGIONS UNIVERSITY

Dear Mr. Pecau:

We have reviewed your latest letter, dated September 14, 2006, and carefully considered the same with our client.

We specifically requested information establishing public use of the term "Regions University", by your client, in our facsimile letter, dated August 31, 2006. Our request was entirely reasonable, insofar as emphasis has been placed upon the use of the name, Regions University, by your client, as a reason for infringement.

We tried to access 'Regions University' on your client's website, both before and now, to learn more about it. Apparently, access is not granted to the general public. This, taken with your failure to respond to our request that you provide information establishing public use of the term, Regions University, causes us to conclude that there is no evidence that the bank publicly uses the name.

Also, please check with your client again about the accuracy of other contentions that, erroneously, were conveyed to you, such as the statement that '[i]t is evident that SCU adopted the name REGIONS UNIVERSITY with the intent of taking advantage of the enormous goodwill associated with the REGIONS name and mark.' In fact, Southern Christian University looked to the Bible for its selection of the name, REGIONS UNIVERSITY. As referenced in a letter to incoming students for the present academic year, Dr. Turner addressed the

SEP-25-06 MON 15:33 SHLESINGER

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Steptoe & Johnson LLP  
September 25, 2006  
Page -2-

student body at large and clearly explained the reasons for the name change from Southern Christian University to Regions University:

"The word *Regions* is used over seventy times in the Bible, and it corresponds to the institution's mission to go into all the regions of the world with the message of Christ. The university has 33 academic degree programs and annually enrolls over 1,000 students who reside in all of the regions of the 50 United States. The university's expansion into the international global higher education markets will provide an open door opportunity in restrictive foreign countries, like China."

Our client's Board determined that the name, REGIONS UNIVERSITY, would enhance the university's opportunities and would complement the purpose and vision of the university as it accelerated its educational and religious heritage of "going into all the regions of the world". This is the reason Southern Christian University changed its name to Regions University, certainly not because of any desire to be associated with commercial banking.

Of course, you know that your client's REGIONS trademark is not a property right in gross. I am sure that your research disclosed that many banks coexist with higher education institutions under the same or highly similar names. In the state of Alabama alone, there are no less than eight instances of colleges and universities operating and coexisting with banks or other financial institutions under the same name.

Finally, the Bank seems to be operating under the misapprehension that only after receiving the objections in your letter of August 18, 2006, has our client 'begun to use the name Regions University publicly...' Please advise your client that the letter to the student body predates your letter. And, our client filed, with the United States Patent and Trademark Office, an application for REGIONS UNIVERSITY for educational services, on August 4, 2006, based on the client's use.

Your client and our client can coexist without confusion to the public. You can be assured that Regions University will confine its activity to higher education. Certainly, it will not engage in commercial banking or in the commercial banking enterprises of Regions Bank.

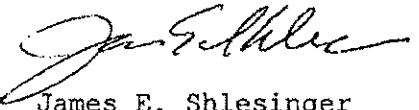
SEP 25 2006 MON 15:34 SHLESINGER

P-04

Steptoe & Johnson LLP  
September 25, 2006  
Page -3-

We hope you will take our comments into account and advise your client that there is simply no conflict arising from the respective uses.

Very truly yours,



James E. Shlesinger

JES/ds

SHLESINGER, ARKWRIGHT & GARVEY LLP

cc: Dr. Rex A. Turner, Jr.,  
President, Regions University

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

REGIONS ASSET COMPANY, )  
REGIONS FINANCIAL CORPORATION, )  
and REGIONS BANK )  
 )  
Plaintiffs, )  
 )  
v. ) Civil Action No. 2:06-cv-882-MHT  
 )  
REGIONS UNIVERSITY, INC. )  
 )  
Defendant. )

**FIRST AMENDED COMPLAINT**

Plaintiffs, Regions Asset Company, Regions Financial Corporation and Regions Bank, for their Complaint alleges as follows:

**JURISDICTION AND VENUE**

1. This is a civil action for federal trademark infringement in violation of the United States Trademark Act of 1946, 15 U.S.C. § 1051, *et seq.*, as amended, for use of false designations of origin and false or misleading descriptions or representations in violation of Section 43(a) of the United States Trademark Act of 1946, 15 U.S.C. § 1125(a), for dilution of incontestable federally registered service marks in violation of the United States Trademark Act of 1946, 15 U.S.C. § 1125(c), for trademark dilution and injury to business reputation in violation of Ala. Code § 8-12-17 and for other related claims under the law of the State of Alabama and at common law for trademark infringement and unfair competition of trademark.

2. This Court has jurisdiction over this action under 15 U.S.C. §§ 1121 and under 28 U.S.C. §§ 1331, 1338(a) and (b) and § 1367 (a) as it involves substantial claims under the United States Trademark Act of 1946, 15 U.S.C. § 1051, *et seq.*, combined with related claims for unfair

competition, dilution and trademark infringement under state law that form part of the same case and controversy.

3. Venue is proper under 28 U.S.C. § 1391 in the Middle District of Alabama since defendant at all times material to this Complaint was and is doing business in this district and the claims arose in this district and elsewhere.

#### PARTIES

4. Regions Financial Corporation (“RFC”) is a Delaware corporation with its principal place of business at 1900 Fifth Avenue North, Birmingham, Alabama 35203. RFC is a financial holding company. Among its wholly owned subsidiaries, direct or indirect, are Regions Bank, an Alabama corporation, and Regions Asset Company (“RAC”), a Delaware corporation. Regions Bank is an Alabama banking corporation with its principal place of business at 1900 Fifth Avenue North, Birmingham, Alabama 35203. RAC owns, among other things, the REGIONS name and marks and the registrations thereof and the goodwill represented thereby and is responsible for the licensing of the REGIONS name and mark to its affiliate Regions Bank and others and for the protection of the REGIONS name and mark and the enforcement of the rights thereto. RAC has its principal place of business at 3501 Silverside Road, Suite 209, Wilmington, Delaware 19810. RFC, RAC and Regions Bank are referred to hereafter collectively as “Regions.”

5. Defendant Regions University, Inc., formerly Southern Christian University, is an Alabama corporation having a principal place of business at 1200 Taylor Road, Montgomery, Alabama 36117-3553.

COUNT IINFRINGEMENT OF FEDERALLY REGISTERED TRADEMARKS

6. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 5 above.

7. Regions was formed in 1971 with the combination of three banks in Alabama centered in Birmingham, Huntsville and Montgomery. Today, Regions is one of the largest financial service providers in the United States with over 1,300 locations in 16 states. Since 1993, Regions has been, and is now, conducting its business under the trade name, trading style and corporate identification Regions. The trade name Regions is and has been so commonly used by Regions and others to identify Regions and its businesses that Regions has been and generally is known as Regions. Regions is now, and since prior to the acts of defendant complained of herein, has been a famous name in Alabama and elsewhere in the United States.

8. At least as early as December 1993 and long prior to the acts of defendant complained of herein, Regions adopted and began to use, and ever since continuously has used, the distinctive mark REGIONS, alone and with other elements, to identify its wide range of banking, financial and other services. These REGIONS marks, in addition to REGIONS, include REGIONS BANK, REGIONS MORTGAGE, REGIONS FINANCIAL CORP., REGIONS E-TRACKER, REGIONSNET, REGIONS REWARDS, REGIONS CHARITY CLASSIC, and REGIONS UNIVERSITY.

9. Regions uses a consistent, distinctive typestyle for its REGIONS mark, whether used alone or with other elements as appears below for the REGIONS Logo marks currently used and used at the time of the filing of this lawsuit and for the REGIONS UNIVERSITY mark.



## REGIONS UNIVERSITY

10. Regions is well recognized and admired for the quality of the services it offers under its REGIONS mark. For example, Regions is on the *Fortune* list of Most Admired superregional Banks in the United States and is ranked as one of the top small business-friendly financial services providers by the U.S. Small Business Administration. This recognized quality of REGIONS services is in no small part a result of Regions' focus and commitment to providing its employees with the training necessary to serve its customers. Regions has provided extensive training and educational services to its employees under its REGIONS UNIVERSITY mark.

REGIONS UNIVERSITY has provided over 800,000 hours of training. REGIONS UNIVERSITY education program has received national recognition and was ranked by *Training Magazine* in the top 50 corporate training programs. By reason of its importance, quality and scope, Regions makes its education and learning program a key element of its recruiting that is promoted to the public.

11. The REGIONS financial services include significant financial services directed toward college students, colleges and universities. For example, Regions in the year 2005 had outstanding student loans well in excess of \$800,000,000. Regions has special loan programs directed toward state colleges and other nonprofit institutions.

12. Since long prior to the acts of defendant complained of herein, Regions has extensively advertised and promoted its REGIONS mark, alone and with other elements, for its various banking, financial and other services, including in the Middle District of Alabama, and elsewhere in the United States.

13. The advertising and promotion of the REGIONS branded services includes television, radio, print, billboard and Internet advertising, as well as the presence of the many REGIONS bank locations and automated teller machines ("ATMs") in the communities Regions serves. Regions also promotes the REGIONS brand through sporting event sponsorships such as its prominent sponsorship of Southeastern Conference and Sunbelt college sporting events.

14. By virtue of the long, continued and widespread advertising, promotion and sale of REGIONS branded banking, financial and other services and the quality and excellence of those services, the REGIONS mark, alone and with other elements, is now, and since long before the acts of defendant complained of herein has become, a famous name and mark in the Middle District of Alabama and elsewhere in the United States that is relied upon by the trade and the public to identify the services of Regions and to distinguish such services from the services of others. The REGIONS mark, alone and with other elements, has come to represent an extremely valuable goodwill belonging exclusively to Regions.

15. The REGIONS mark, alone and with other elements, is registered in the United States Patent and Trademark Office with respect to various services under various registration numbers. Among the registrations owned by Regions are:

Mark	SN/Reg. No.	Status	Goods or Services

 <b>REGIONS</b>	RN 3119462	Registered	Banking services
REGIONS MOR LINKED CHECKING	RN 3112740	Registered	Banking services
 <b>REGIONS</b> FINANCIAL CORP.	RN 3103400	Registered	Banking services
REGIONS PREFERRED BANKING	RN 2605827	Registered	Banking services
REGIONS PREFERRED PLUS BANKING	RN 2599341	Registered	Banking services
REGIONS E-SENTIAL BANKING	RN 2599310	Registered	Banking services
REGIONS CLASSIC BANKING	RN 2599309	Registered	Banking services
REGIONS BASIC BANKING	RN 2599308	Registered	Banking services
REGIONSNET	RN 2250389	Registered	Banking services on computer networks such as the World Wide Web
REGIONS REWARDS	RN 2191540	Registered	Banking services
REGIONSBANK	RN 1918496	Renewed	Banking services
REGIONS	RN 1881600	Renewed	Banking services

Each of these REGIONS registrations is valid and subsisting, unrevoked and uncancelled.

Regions' rights to the REGIONS mark for banking services is incontestable. Regions is the owner of each of these registrations, the marks shown therein, and of all the business and goodwill connected therewith.

16. Defendant is a private educational institution offering courses at undergraduate and graduate levels with its headquarters and primary campus in Montgomery, Alabama. Defendant also offers its services online via the Internet. For approximately 15 years, defendant offered its services under the name and mark SOUTHERN CHRISTIAN UNIVERSITY. Photographs showing the SOUTHERN CHRISTIAN UNIVERSITY mark appearing on defendant's Montgomery campus are attached as Exhibit A.

17. Defendant is well aware of and, since long prior to its acts complained of herein, has been well aware of the REGIONS name and mark and of the vast goodwill it represents and symbolizes in Montgomery and elsewhere in Alabama and the United States, and that the public recognizes and relies upon the REGIONS name and mark to identify Regions and its services and to distinguish Regions and its services from other institutions and the services of others.

18. Notwithstanding its knowledge of the REGIONS name and mark, and indeed by reason thereof, defendant decided to adopt REGIONS UNIVERSITY as its new name and mark in place of SOUTHERN CHRISTIAN UNIVERSITY.

19. Sometime prior to August 18, 2006, defendant announced its adoption of the REGIONS UNIVERSITY name on the website of SOUTHERN CHRISTIAN UNIVERSITY, [www.southernchristian.edu](http://www.southernchristian.edu).

20. On August 18, 2006, Regions, through its legal counsel, sent defendant a letter objecting to its announced intention to use REGIONS UNIVERSITY as its name and mark. Regions advised defendant of its rights to the famous REGIONS name and mark, its use of REGIONS, alone and with other elements, including its own use of the REGIONS UNIVERSITY name and mark, and that its rights would be infringed and otherwise violated if defendant used REGIONS UNIVERSITY for its name and services. A copy of this letter is

attached as Exhibit B. Defendant's counsel replied on August 31, 2006 requesting additional information from Regions concerning Regions' REGIONS UNIVERSITY services and advising Regions that defendant intended to respond to Regions' demands. A copy of this letter is attached as Exhibit C.

21. Subsequent to Regions' August 18, 2006 objection, defendant changed its SOUTHERN CHRISTIAN UNIVERSITY website to REGIONS UNIVERSITY and since has referred to itself and its services by the names REGIONS UNIVERSITY and REGIONS. Further, defendant adopted and began to use, and continues to use, a stylization for the REGIONS UNIVERSITY name that is a close approximation of the stylization used by Regions for REGIONS when used alone and with other words such as REGIONS UNIVERSITY, as appears below:

## **REGIONS UNIVERSITY**

In addition, defendant registered at least 10 domain names containing the mark REGIONS as the distinctive and dominant element, including the domain name www.REGIONS.edu.

22. Regions, through its legal counsel, advised defendant on September 14, 2006, that if it persisted in its infringement of the REGIONS name and mark that Regions would seek judicial intervention to protect its rights. A copy of this letter is attached as Exhibit D. Defendant has continued to use REGIONS UNIVERSITY and REGIONS despite Regions' objections and requests to desist, and suggests its intent to continue use of those REGIONS marks in a letter dated September 25, 2006. A copy of this letter is attached as Exhibit E.

23. Defendant adopted and uses Regions' name REGIONS as the distinctive element of REGIONS UNIVERSITY and uses the name REGIONS alone for its services and business with the deliberate and willful intention of misappropriating for itself the tremendous goodwill

and reputation represented and symbolized by the famous REGIONS name and mark, of infringing and diluting the same, and of creating a false belief in the mind of the public that defendant is somehow associated or connected with or sponsored by Regions.

24. Said unauthorized and wrongful use by defendant of the REGIONS name and mark for and in connection with the sale and promotion of defendant's services and business is designed and calculated and is likely to cause confusion, to cause mistake, and to deceive, all to the detriment of Regions and the public.

25. The aforesaid acts of defendant constitute infringement of federally registered trademarks in violation of Section 32 of the United States Trademark Act of 1946, 15 U.S.C. § 1114(1).

26. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

27. Plaintiffs have no adequate remedy at law.

#### COUNT II

#### FALSE DESIGNATION OF ORIGIN AND FALSE OR MISLEADING DESCRIPTIONS OR REPRESENTATIONS IN VIOLATION OF SECTION 43(a)

28. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 24 above.

29. Defendant's use of the REGIONS UNIVERSITY and REGIONS marks and names in connection with the sale and promotion of its services constitutes the use in commerce of words, terms, names and symbols and false designations of origin and false and misleading descriptions and representations that are likely to cause confusion, to cause mistake, and to

deceive as to the affiliation, connection, or association of defendant with Regions and as to the origin, sponsorship and approval of defendant's services in violation of Section 43(a) of the United States Trademark Act of 1946, 15 U.S.C. § 1125(a).

30. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

31. Plaintiffs have no adequate remedy at law.

COUNT III

DILUTION OF FEDERALLY REGISTERED SERVICE MARKS

32. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 24 above.

33. Defendant's aforesaid acts have or are likely to cause dilution by blurring because they have or are likely to lessen the capacity of plaintiffs' famous REGIONS name and mark to identify and distinguish plaintiffs' services, to dilute the distinctiveness of Regions' REGIONS name and mark, and to blur the unique association that has existed between plaintiffs' REGIONS name and mark and its services in violation of Section 43(c) of the United States Trademark Act of 1946, 15 U.S.C. § 1125(c).

34. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

35. Plaintiffs have no adequate remedy at law.

COUNT IV

TRADEMARK INFRINGEMENT IN VIOLATION OF ALABAMA STATE LAW

36. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 24 above.

37. Defendant's aforesaid acts constitute infringement of Regions' REGIONS mark, alone and with other elements, in violation of Ala. Code § 8-12-16 (Supp. 2002).

38. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

39. Plaintiffs have no adequate remedy at law.

COUNT V

COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

40. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 24 above.

41. Defendant's aforesaid acts constitute infringement and misappropriation of Regions' REGIONS mark and name, and false advertising and unfair competition with Regions, all in violation of Regions' rights under the common law of the State of Alabama and other states of the United States.

42. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

43. Plaintiffs have no adequate remedy at law.

COUNT VI

INJURY TO BUSINESS REPUTATION AND DILUTION OF TRADEMARK

44. Plaintiffs repeat and reallege, as if fully set forth herein, the allegations set forth in paragraphs 1 through 24 and 33 above.

45. Defendant's aforesaid acts have or are likely to cause injury to the business reputation of Regions and to dilute the distinctive quality of Regions' REGIONS name and mark in violation of Ala. Code § 8-12-17 (Supp. 2002).

46. Said acts of defendant have caused and will cause great and irreparable injury and, unless such acts are restrained by the Court, said acts will continue and plaintiffs will continue to suffer great and irreparable injury.

47. Plaintiffs have no adequate remedy at law.

WHEREFORE, PLAINTIFFS PRAY:

1. That defendant and its suppliers, officers, agents, servants, employees, attorneys, successors and assigns, and all persons in active concert or participation with them, be permanently enjoined and restrained:

- a. from using for or in connection with the sale, offering for sale, advertising, and promotion of educational services, other services, goods, and businesses the REGIONS UNIVERSITY and REGIONS marks and names, and any other mark or name that incorporates plaintiffs' REGIONS mark and any other colorable imitation, counterfeit or simulation thereof;
- b. from using any false designation of origin or false description or false representation in connection with the advertising, promotion or offering of any educational service or other service or business, and from doing any other

act or thing calculated or likely (i) to cause confusion, to cause mistake, or to deceive the public into the belief that defendant or defendant's services, are plaintiffs or their services, or come from or are affiliated with plaintiffs, or are sponsored or approved by plaintiffs, or come from the same source as plaintiffs or plaintiffs' services, (ii) to dilute the distinctive quality of the REGIONS mark or (iii) to injure the business reputation of Regions;

2. That defendant, pursuant to 15 U.S.C. § 1118 or Ala. Code § 8-12-18, be directed to destroy, or deliver to an officer of the court to be destroyed, all literature, signs, labels, prints, packages, wrappers, containers, advertising materials, stationary, and any other items in its possession or control which bear or contain the name REGIONS, alone or with other elements, or any other reproduction, copy, counterfeit or colorable imitation of the REGIONS name and mark, and to destroy all plates, molds, matrices, masters, and other means of making any of those infringing items;

3. That defendant be mandatorily enjoined and directed to take all steps necessary to formally change any corporate and business name containing the name REGIONS and any domain name containing the name REGIONS within thirty (30) days after service of the injunction upon defendant, including the filing with the Secretary of State of the State of Alabama all documents necessary to effect the change of its name;

4. That defendant be directed to file with this Court within thirty (30) days after issuance of any injunction issued by this Court in this action, a written report signed by an officer of defendant, under oath, setting forth the manner in which defendant complied with such injunction;

5. That defendant be directed to pay to plaintiffs the costs of the suit and reasonable attorneys' fees pursuant to 15 U.S.C. § 1117; and
6. That this Court award plaintiffs such other and further relief as the Court deems just and proper.



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One of the Attorneys for Plaintiffs, Regions Asset Company, Regions Financial Corporation and Regions Bank

OF COUNSEL:

Charles B. Paterson (PAT018)  
Paul A. Clark (CLA076)  
Balch & Bingham LLP  
105 Tallapoosa Street, Suite 200  
P.O. Box 78 (36101-0078)  
Montgomery, AL 36104  
Tel: (334) 269-3143

William G. Pecau, Esq. (DC Bar # 478341)  
Rachel M. Marmer, Esq. (DC Bar # 489606)  
Steptoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036  
Tel.: (202) 429-3000  
Fax: (202) 429-3902

**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing with the Clerk of the Court and service will be perfected electronically upon the following this the 10<sup>th</sup> day of May, 2007:

Victor T. Hudson  
William W. Watts, III  
Hudson & Watts, LLP  
Post Office Box 989  
Mobile, Alabama 36601-0989

James E. Shlesinger  
Shlesinger, Arkwright & Garvey LLP  
1420 King Street  
Suite 600  
Alexandria, Virginia 22314



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Of Counsel